



Date: July 9, 2013

To: Thomas J. Bonfield, City Manager

Through: W. Bowman Ferguson, Deputy City Manager

From: Joel V. Reitzer, Jr., Director, General Services Department

Subject: Construction Contract with Progressive Contracting Co., Inc. and Design Amendment with Walter P. Moore and Associates, Inc. for Chapel Hill Street Garage Concrete Repairs

Executive Summary

On February 12, 2013, the City Manager approved a professional services design amendment with Walter P. Moore and Associates, Inc. (WPM), engineering consultant, for the design of concrete repairs and accessibility improvements to the Chapel Hill Street Garage. The project was advertised for formal bidding on May 23, 2013 and on June 25, 2013, three bids were opened. Progressive Contracting Co., Inc. (Progressive) was the apparent low bidder. General Services Department (GSD), Department of Equal Opportunity/Equity Assurance (EO/EA), and Finance's Risk Management Division have reviewed the bids, conducted a de-scoping meeting, and concluded that Progressive is the lowest responsive and responsible bidder.

The lump-sum base bid submitted by Progressive is \$536,295.00 and is within the project budget. The base bid scope of work includes the following work: Concrete structural repairs to the ramps, floors, walls, beams and columns; Accessibility improvements increasing accessible spaces in the garage and surface lot, providing an accessible path to the parking office and replacing the Orange Street access with steps and accessible ramp. The General Services Department further recommends accepting bid alternate # 1 replacing two additional ramps within the garage for \$17,500.00 and bid alternate #2 applying a concrete penetrating sealer to the ramps and floors of the garage and restriping of the garage for \$182,200.00. The contract total of \$735,995.00 is within the project budget established for construction.

Currently WPM's professional services contract provided services through the design and bidding phases only. The proposed amendment includes required construction administration services for the construction and closeout phase of the project and is within the project budget. Total professional services for this project are 15% of the construction budget.

Recommendation

The General Services Department recommends that the City Council:

1. Authorize the City Manager to execute a construction contract for the Chapel Hill Street Garage Concrete Repairs with Progressive Contracting Co., Inc. in the amount of \$735,995.00, which includes the base bid and recommended alternates.
2. Establish a project contingency in the amount of \$110,400.00 and authorize the City Manager to negotiate and execute change orders on the Chapel Hill Street Garage construction contract, provided the total project cost does not exceed the amount budgeted for construction phase plus the project contingency.
3. Authorize the City Manager to execute a contract amendment to the Agreement to Provide Consulting Engineering Professional Services between the City of Durham and Walter P. Moore and Associates, Inc. in an amount up to \$60,000.00 so that the total contract will not exceed \$871,968.51.
4. Establish a project contingency in the amount of \$6,000.00 and authorize the City Manager to negotiate and execute change orders on the Chapel Hill Street Garage professional services contract, provided the total project cost does not exceed the amount budgeted for construction phase services plus the project contingency.

Background

The Chapel Hill Street Garage, built in 1970, is located at 326 E. Chapel Hill Street. Through the 2005 General Obligation Bond referendum, the City funded repairs necessary at the Chapel Hill Street Garage. WPM investigated the condition of the parking garage and summarized the scope of work in a Basis of Design Report (BODR) in 2007. The BODR listed multiple structural concrete issues but highlighted a critical structural repair to the beams that required immediate correction due to the potential of catastrophic failure. Reinforcements to the beams were completed in May 2008 as emergency repairs.

Further repairs, as identified in the BODR, were put on hold. In 2008, the construction costs had escalated to such an extent that it appeared full repairs to the garage were outside the project budget. Additionally, discussions of potential re-development of the site were ongoing. It has now been determined that re-development is unlikely to occur in the near future and that the condition of the ramps and other areas of the structure are now, five years later, in poor condition and that repair is required for continued safe usage of the facility. The construction market has stabilized and in late 2012, the City decided to move forward with design to complete the necessary concrete and ADA repairs. Those repairs will include concrete repairs to the vehicular ramps, horizontal surfaces (floor and ceiling), walls, beams and columns, repairs to a deteriorated expansion joint, and accessibility improvements to address issues raised in the Department of Justice settlement agreement. Those ADA improvements will include accessible access to the parking office, accessible access to Orange Street from the garage, and accessible parking spaces on levels 3 and 5 and in the surface parking lot.

WPM was selected in 2006 via a Request for Qualifications process to perform design and engineering services at the Centre, Corcoran Street and Chapel Hill Street garages. WPM has completed all work on the Centre and Corcoran Street garages. In February 2013, the City issued a Notice to Proceed to complete design for the Chapel Hill Street Garage. Construction documents were completed in May 2013 and the project was bid in June 2013. The design amendment only provided for engineering services through the bidding phase to accelerate the schedule and ensure the project was within budget. It is necessary to amend

WPM's professional services contract to provide for necessary construction administration services during the construction phase of the project.

Issues/Analysis

The Chapel Hill Street Garage was constructed in 1970 and is an aging facility. Serious structural issues have been documented through the BODR completed in 2007. The most pressing issue, the potential shear failure of the beams, was addressed in 2008. However, in the last five years, the concrete within the deck has continued to spall, or separate from the steel reinforcing, in numerous areas. While the vehicular ramps are the most visually concerning of the concrete spall, there are numerous areas on floors, walls, ceilings, beams and columns where concrete delamination has occurred but may not yet be visually evident. Concrete delamination is an exponential problem as once begun, it deteriorates at an increasing faster rate. It is the engineer's recommendation that the concrete be repaired prior to the winter freeze/thaw cycle to ensure continued safe operation of the garage.

Construction work in the garage will require the full closure of the facility. The vehicular circulation ramps are one way and cannot be repaired without complete closure. There is no option to route traffic through the garage in an alternate direction due to the orientation of the ramps. Additionally, there is structural work necessary at the passage from the surface lot through the garage. This will require closure of the surface lot as well since the exit path from the surface lot is through the garage itself. Staff has been working closely with the Transportation Department and Lanier Parking to develop a logistics and phasing plan that will allow the work to be completed in phases. The contractor will obtain partial occupancy for the garage as levels are completed, allowing completed levels to be available for parking. Construction will begin at the ground level and then continue up through level 9. Lanier Parking has already contacted monthly parkers to relocate them to nearby parking garages and surface lots. Construction is scheduled to commence in August 2013 and the project is scheduled to be completed by January 2014. Staff will continue to coordinate closely with Lanier Parking to ensure there is adequate signage and notification as the construction progresses.

The engineer has estimated the quantity of concrete to be repaired, however, there is the potential for more extensive concrete repairs once demolition of the delaminated areas occurs. To provide for flexibility to address this potential and maintain the project schedule, a 15% contingency has been budgeted. Also, the City has included an allowance for extensive on-site construction administration within WPM's contract. This will provide the flexibility within the contract and the construction schedule to provide additional response and construction observation should unforeseen conditions occur.

Bids were opened on June 25, 2013. Three bids were received and evaluated for the determination of the lowest, responsive, responsible bidder. The bid results are as follows:

<u>Company</u>	<u>Base Bid</u>	<u>Base + Recommended Alternates</u>
Progressive Contracting Co., Inc.	\$536,295.00	\$ 735,995.00
Carolina Restoration and Waterproofing	\$898,751.00	\$ 1,185,433.00
Strickland Waterproofing	\$1,716,200.00	\$ 2,048,200

Alternatives

An alternative is to not proceed with the concrete repairs and accessibility improvements at the Chapel Hill Street Garage. Staff recommends against this alternative as the project is fully funded and has been fully designed and bid within budget. Not proceeding with this

project will mean continued deterioration of the concrete within the garage and potentially significant structural concerns in the near future that would require operation to cease until repaired.

Financial Impacts

Project Funding CC006, CH200		
2005 GO Bonds	CC006-3304C049	\$1,079,073.00
CIP funds	CH200-3307C990	\$ 170,000.00
Total Project Funding		\$1,249,073.00
Funding Uses Summary		
Prior:		
Professional Services-Building	CC006-3304C049-731003	\$ 39,984.00
Professional Services-Building	CH200-3307C990-731003	\$ 21,500.00
Contract Contingency-Design	CC006-3304C049-731900	\$ 3,896.00
Contract Contingency-Design	CH200-3307C990-731900	\$ 2,150.00
Total		\$ 67,530.00
Current:		
Professional Services-Building	CC006-3304C049-731003	\$ 44,000.00
Professional Services-Building	CH200-3307C990-731003	\$ 16,000.00
Contract Contingency-Design	CC006-3304C049-731900	\$ 4,000.00
Contract Contingency-Design	CH200-3307C990-731900	\$ 2,000.00
Construction Contract	CC006-3304C049-731000	\$ 631,545.00
Construction Contract	CH200-3307C990-731000	\$ 104,450.00
Construction Contingency	CC006-3304C049-731900	\$ 94,733.00
Construction Contingency	CH200-3307C990-731900	\$ 15,667.00
Total Financial Impact		\$ 912,395.00
Owner Contingency	Various	\$ 269,148.00
Total		\$ 1,181,543.00
Funding Uses Total		
		\$ 1,249,073.00

*Owner Contingency will include other owner's expenses such as Printing, Advertising, Impact Fees, Permits, Surveys, Construction Material Testing, and Reviews.

SDBE Summary

The Equal Opportunity/Equity Assurance Department reviewed the bid submitted by Progressive Contracting Co., Inc., Sanford, NC and have determined that they are in compliance with the Ordinance to Promote Equal Business Opportunities in City of Durham contracting.

SDBE REQUIREMENTS

Firm	ID	City/State	Amount	% of Contract
Steel City Services	MSDBE	Durham, NC	\$3,940	0.7%

The goals for this project were: 4% M/SDBE and 1 % W/SDBE. Progressive Contracting Co., Inc. attained a participation rate of: 0.7% MSDBE and 0% WSDBE. Progressive Contracting Co., Inc. did not meet the goals. However, they did demonstrate good faith efforts to meet the goals.

Workforce Statistics

Workforce statistics for Progressive Contracting Co., Inc. are as follows:

Total Employment	13	
Total Females	3	23%
Total Males	10	77%
Black Males	0	0%
White Males	9	69%
Other Males	1	8%
Black Females	0	0%
White Females	3	23%
Other Females	0	0%